DETAILED ACTION

Response to Arguments

1. With respect to the rejection of the last office action mailed on 05/15/08, Applicant amends claims and further argues that the prior arts of record **Hind et al (6,772,331)** in view of **Ellis et al (2005/0028208)** for a group of claims and **Hind et al (6,772,331)** in view of **Ellis et al (2005/0028208)** and further in view of **Steele et al (6,564,047)** for another set of claims, as discussed in the last office action, do mot meet the amended claims limitations (see page 15+ of Applicant's Remarks)

In response, Examiner disagrees. Examiner notes Applicant's Amendment/arguments, however, Hind discloses communicating authentication information between two or more mobile terminals; process and establish secured communication link between a first mobile terminal and a second mobile terminal, as illustrated in various embodiments in figs.1-6 (col.7, lines 30-39, col.9, lines 16-61 and col.11, line 47-col.12, line 42). Hind transmits inhibit rule data (col.11, line 47-col.12, line 42), but is silent as to where the inhibit rule data is configured to instruct the mobile terminals to inhibiting certain functions of the first mobile so that the functions are no longer operable by the first mobile and further silent as to where the second device is a mobile phone. However, Hind discloses in figure 3, two or more notebook computers (NBCs), phones, etc., where theses devices establishes secured wireless communication with each other using cellular modems or other wireless transceiver interfaces to communicate (LAN or WAN). Hence it would have been obvious to one skill in the art at the time of the invention to modify the system of Hind to established

communication between pairs of NBCs, Phones, etc., where one authenticates the other to provide a secure network. The modification of Hind, fails is silent as to the inhibit rule data is configured to instruct the mobile terminal to inhibiting certain functions of the first mobile so that the functions are no longer operable by the first mobile. However, **Ellis** discloses interactive television program guide (ITV-PG) with remote access (RA-24) where the RA-24 (PC, notebook PC, palmtop, handheld, touch screen remote, etc.,) transmits parental control settings to a device where the instruction configures the mobile terminal so that a plurality of functions are no longer operable by the device (page 5, page 3, [0029], [0071-0072], [0090], [0097-0099], [0120-0121]). Ellis further discloses that the RA-24 includes communication link 19, i.e., serial port, parallel port, modem (analog or digital, **cellular modem**, cable modem, etc., ([0086]) and further discloses that RA-24, includes voice processor and speaker, etc., (features of a cellular phone, see ([0092], [0108-0109], [0114], [0122] and [0127]). As clearly illustrated both prior arts of record discloses devices with cellular modem interface to communicate data to/from a server/client (mobile terminals) on the cellular network. Hence applicant's amended claims do not overcome the prior arts of record. The amendment to the claims necessitated the new ground(s) of rejection discussed below.

This office action is made final.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which orms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-15, 17, 28, 36, 44, 53, 63, 74, 86, 92, 94-98, 103-126, 131-143 and 148-151 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hind et al (6,772,331)** in view of **Ellis et al (2005/0028208)**.

As to claim 1, note the **Hind** reference figures 1-6, discloses method and apparatus for exclusively pairing wireless devices and further discloses a method comprising:

Communicating authentication information from a second mobile terminal to a first mobile terminal via a wireless interface; establishing a secured communication link to permit direct communication with the first mobile phone using the wireless interface; the first mobile terminal having a plurality of functions, which are controlled by a controller (figs.1-6, col.7, lines 30-39, col.9, lines 16-61 and col.12, lines 20-42);

Transmitting inhibit rule data directly from the second mobile phone to the first mobile terminal via the secured communication link, where the inhibit rule data is configured to instruct the first mobile phone to inhibit certain functions of the first mobile phone so that the functions are no longer operable by the first mobile phone (col.12, lines 20-42 and line 63-col.13, line 43).

Hind discloses authentication process between a first mobile terminal and a second mobile terminal, as illustrated in various embodiments in figs.1-6 and transmits inhibit rule data (col.7, lines 30-39, col.9, lines 16-61 and col.11, line 47-col.12, line 42), Hind further transmits inhibit rule data, but is silent as to where the inhibit rule data is

configured to instruct the mobile terminals to inhibiting certain functions of the first mobile so that the functions are no longer operable by the first mobile and further silent as to where the second device is a mobile phone.

However, Hind discloses in figure 3, two or more notebook computers (NBCs), phones, etc., where theses devices establishes secured wireless communication with each other using cellular modems or other wireless transceiver interfaces to communicate (LAN or WAN).

Hence it would have been obvious to one skill in the art at the time of the invention to modify the system of Hind to established communication between pairs of NBCs, Phones, etc., where one authenticates the other to provide a secure network.

The modification of Hind, fails is silent as to the inhibit rule data is configured to instruct the mobile terminal to inhibiting certain functions of the first mobile so that the functions are no longer operable by the first mobile.

However, **Ellis** discloses interactive television program guide (ITV-PG) with remote access (RA-24) where the RA-24 (PC, notebook PC, palmtop, handheld, touch screen remote, etc.,) transmits parental control settings to a device where the instruction configures the mobile terminal so that a plurality of functions are no longer operable by the device (page 5, page 3, [0029], [0071-0072], [0090], [0097-0099], [0120-0121]). Ellis further discloses that the RA-24 includes communication link 19, i.e., serial port, parallel port, modem (analog or digital, **cellular modem**, cable modem, etc., ([0086]) and further discloses that RA-24, includes voice processor and speaker, etc., (features of a cellular phone, see ([0092], [0108-0109], [0114], [0122] and [0127]).

Hence it would have been obvious to one skill in the art at the time of the invention to modify the system of Hind with the teaching of Ellis to provide a second mobile phone and permit various communications between the cellular phones including to restricting some functions of the device and limit the user to only permitted functions based on the parental control settings.

As to claim 2, Hind further discloses where the first mobile is able to execute software programs and where the functions comprise an executable software program or a part (col.9, lines 16-61 and col.12, lines 20-42).

As to claims 3-4, Hind further discloses where the mobile terminal comprises a content server and the second mobile terminal corresponding client and the content and client are employed for transmission of the inhibit rule data (col.4, lines 4-51, col.9, lines 16-61 and col.12, lines 20-42).

As to claim 5, Hind further discloses where the content server uses HTML, XHTML, XML or WML (col.7, line 46-col.8, line 12).

As to claims 6-7, Hind teaches were the wireless interface is a Bluetooth (BT) interface and employing HTTP over BT and/or TCP/IP and/or wireless application protocol over BT (col.1, line 38-col.2, line 22, col.4, line 4-28, col.7, lines 1-13 and lines 47-58)

As to claim 9, **Hind** further discloses in figures 1-2, 5 and 6, a method comprising:

Authenticating of a mobile remote control by a mobile terminal via a wireless interface, establishing a secured communication link between the mobile remote control

and the mobile phone to permit direct communication using the wireless interface (figs.1, 2, 5, co.7, lines 30-39, col.9, lines 16-61 and col.12, lines 20-42);

Receiving inhibit rule data directly from the mobile remote control at the mobile phone via the secured communication link (col.12, lines 20-42); and

Inhibiting certain function(s) of the mobile phone according to the transmitted inhibit rule data and where a Bluetooth link key generated from a passkey is used for authenticating the mobile terminal (col.9, lines 16-61, col.10, lines 30-56 and col.12, lines 20-42).

Hind discloses authentication process between a first mobile terminal and a second mobile terminal, as illustrated in various embodiments in figs.1-6 and transmits inhibit rule data (col.7, lines 30-39, col.9, lines 16-61 and col.11, line 47-col.12, line 42), Hind further transmits inhibit rule data, but is silent as to where the inhibit rule data is configured to instruct the mobile terminals to inhibiting certain functions of the first mobile so that the functions are no longer operable by the first mobile and further silent as to where the second device is a mobile phone.

However, Hind discloses in figure 3, two or more notebook computers (NBCs), phones, etc., where theses devices establishes secured wireless communication with each other using cellular modems or other wireless transceiver interfaces to communicate (LAN or WAN).

Hence it would have been obvious to one skill in the art at the time of the invention to modify the system of Hind to established communication between pairs of NBCs, Phones, etc., where one authenticates the other to provide a secure network.

The modification of Hind, fails is silent as to the inhibit rule data is configured to instruct the mobile terminal to inhibiting certain functions of the first mobile so that the functions are no longer operable by the first mobile.

However, **Ellis** discloses interactive television program guide (ITV-PG) with remote access (RA-24) where the RA-24 (PC, notebook PC, palmtop, handheld, touch screen remote, etc.,) transmits parental control settings to a device where the instruction configures the mobile terminal so that a plurality of functions are no longer operable by the device (page 5, page 3, [0029], [0071-0072], [0090], [0097-0099], [0120-0121]). Ellis further discloses that the RA-24 includes communication link 19, i.e., serial port, parallel port, modem (analog or digital, **cellular modem**, cable modem, etc., ([0086]) and further discloses that RA-24, includes voice processor and speaker, etc., (features of a cellular phone, see ([0092], [0108-0109], [0114], [0122] and [0127]).

Hence it would have been obvious to one skill in the art at the time of the invention to modify the system of Hind with the teaching of Ellis to provide a second mobile phone and permit various communications between the cellular phones including to restricting some functions of the device and limit the user to only permitted functions based on the parental control settings.

As to claims 10-15, Hinds fails to teach where the inhibit rule data comprises a predetermined access time, a predetermined period of time, a predetermined number of accesses, identification, classification code and cost information and where the first mobile terminal retransmits data concerning the use of the functions of first mobile terminal and the use of some types of content.

However, Ellis further discloses where the parental control data comprises a predetermined access time, a predetermined period of time, a predetermined number of accesses, identification, classification code and cost information and where the first mobile terminal retransmits data concerning the use of the functions of first mobile terminal where the use of functions includes the user of PPV, games, shopping, internet services, etc., (page 8, [0099-0104, [0107-0108] and 0119-0122]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Ellis into the system of Hind in order to restrict some functions of the device and limit the user to only permitted functions based on the parental control settings and further administer all the various possible parental settings to control the received content and retrieved desirable content accordingly.

Claim 17 is met as previously discussed with respect to claim 5.

Claim 28 is met as previously discussed with respect to claim 9.

Claims 36, 44, 53, 63, 74 and 86 are met as previously discussed with respect to claims 10-15.

Claim 92 is met as previously discussed with respect to claim 9.

Claims 94-97 are met as previously discussed with respect to claims 10-15.

As to claim 98, Hind further discloses a third device and transmitting data records to a third device, but fails to explicitly teach transmitting data concerning the use of functions, which is met as previously discussed with respect to claims 10-15.

As to claims 103-104, **Hind** further discloses in figures 1-6, a first mobile phone configured to perform functions, the first mobile phone comprising:

A functional Unit (inherent to the Mobile phone 'MPs' see figs.1-6); A controller (Processor of MPs) configured to communicate with the functional unit for controlling functions that can be performed by the functional unit (col.7, lines 30-39, col.9, lines 16-61, col.12, lines 20-42 and line 53-col.13, line 43);

A wireless interface configured to communicate with a second mobile phone, the second mobile phone (col.7, lines 30-39, col.9, lines 16-61, col.12, lines 20-42 and line 53-col.13, line 43); where the controller is configured to:

Authenticate the second terminal; establish a secured communication link to permit direct communication with the second mobile phone using the wireless interface; process inhibit rule data received from the second mobile terminal via the secured communication link (col.12, lines 20-42 and line 63-col.13, line 43).

Hind discloses authentication process between a first mobile terminal and a second mobile terminal, as illustrated in various embodiments in figs.1-6 and transmits inhibit rule data (col.7, lines 30-39, col.9, lines 16-61 and col.11, line 47-col.12, line 42), Hind further transmits inhibit rule data, but is silent as to where the inhibit rule data is configured to instruct the mobile terminals to inhibiting certain functions of the first mobile so that the functions are no longer operable by the first mobile and further silent as to where the second device is a mobile phone.

However, Hind discloses in figure 3, two or more notebook computers (NBCs), phones, etc., where theses devices establishes secured wireless communication with each other using cellular modems or other wireless transceiver interfaces to communicate (LAN or WAN).

Hence it would have been obvious to one skill in the art at the time of the invention to modify the system of Hind to established communication between pairs of NBCs, Phones, etc., where one authenticates the other to provide a secure network.

The modification of Hind, fails is silent as to the inhibit rule data is configured to instruct the mobile terminal to inhibiting certain functions of the first mobile so that the functions are no longer operable by the first mobile.

However, **Ellis** discloses interactive television program guide (ITV-PG) with remote access (RA-24) where the RA-24 (PC, notebook PC, palmtop, handheld, touch screen remote, etc.,) transmits parental control settings to a device where the instruction configures the mobile terminal so that a plurality of functions are no longer operable by the device (page 5, page 3, [0029], [0071-0072], [0090], [0097-0099], [0120-0121]). Ellis further discloses that the RA-24 includes communication link 19, i.e., serial port, parallel port, modem (analog or digital, **cellular modem**, cable modem, etc., ([0086]) and further discloses that RA-24, includes voice processor and speaker, etc., (features of a cellular phone, see ([0092], [0108-0109], [0114], [0122] and [0127]).

Hence it would have been obvious to one skill in the art at the time of the invention to modify the system of Hind with the teaching of Ellis to provide a second mobile phone and permit various communications between the cellular phones including to restricting some functions of the device and limit the user to only permitted functions based on the parental control settings.

Claim 105 is met as previously discussed with respect to claims 10-15.

Claim 106 is met as previously discussed with respect to claim 98.

Claims 107-109 are met as previously discussed with respect to claims 10-15.

Claims 110-112 are met as previously discussed with respect to claims 5-8.

Claims 114-119 are met as previously discussed with respect to claims 10-15.

Claim 120 is met as previously discussed with respect to claim 5.

Claim 121 is met as previously discussed with respect to claim 9.

Claim 122 are met as previously discussed with respect to claims 10-15.

Claim 131 is met as previously discussed with respect to claim 1.

As to claim 132, the claimed "One or more computer readable media…" is composed of the same structural elements that were discussed with respect to the rejection of claim 1.

Claim 133 is met as previously discussed with respect to claim 5.

Claim 134 is met as previously discussed with respect to claim 7.

Claims 136-140 are met as previously discussed with respect to claims 10-15.

Claim 141 is met as previously discussed with respect to claim 1.

Claim 142 is met as previously discussed with respect to claim 9.

Claim 143 is met as previously discussed with respect to claim 10-15.

As to claim 148, the claimed "A first mobile phone…" is composed of the same structural elements that were discussed with respect to the rejection of claim 1.

As to claim 149, Hind further discloses where the first mobile phone is configured to established a telephony connection to indirectly communicate with the first mobile phone via telephone network (col.4, lines 4-51, col.9, line 16+ and col.12, line 20-col.13, line 1+).

Claim 150 is met as previously discussed with respect to claim 149.

Claim 151 is met as previously discussed with respect to claim 149.

5. Claims 99-102, 127-130 and 144-147 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hind et al (6,772,331)** in view of **Ellis et al (2005/0028208)** as applied to claim 96, 119 and 141 above, and further in view of **Steele et al (6,564,047).**

As to claims 99-102, Hind as modified by Ellis, fail to explicitly teach where the mobile telephone data concerns the use of functions including telephone usage data, total number of calls, duration of phone calls, where the usage includes text messaging usage information and number of text messages sent from the mobile telephone.

However, note the **Steete** reference figures 1-4, discloses advanced air-time management and further discloses usage management of cellular telephones, including including telephone usage data, total number of calls, duration of phone calls, where the usage includes text messaging usage information and number of text messages sent from the mobile telephone (col.2, line 48-col.3, line 32, col.4, line 42-col.6, line 1+, col.7, line 26-col.8, line 49 and line 53-col.9, line 1+).

Therefore it would have been obvious to one of ordinary skilled artisan to incorporate the teaching of Steete into the system of Hind as modified by Ellis to monitor the mobile terminal with respect to telephone usage and billing users according based on their phone usage.

Claims 127-130 are met as previously discussed with respect to claims 99-102.

Claims 144-147 are met as previously discussed with respect to claims 99-102.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone

number for the organization where this application or proceeding is assigned is **571-273-8300.**

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC) at 866-217-9197 (toll-free)**. If you would like assistance from a **USPTO Customer Service Representative** or access to the automated information system, **call 800-786-9199 (IN USA OR CANADA) or 571-272-1000**.

/Annan Q Shang/

Primary Examiner, Art Unit 2623

Annan Q. Shang